

Chapter 5.46

EXTERMINATORS, FUMIGATORS, AND PEST CONTROL

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5.46.010 Definitions.

For the purposes of this section, “exterminator,” “fumigator,” or “pest control operator” means any person who uses any toxic, noxious, poisonous or dangerous substance, gaseous, liquid or otherwise, specified by rules and regulations adopted by the health department as liable to affect human beings by causing severe sickness or death, and used for the extermination of household insects, vermin or rodents.

5.46.020 License—Required.

It is unlawful to engage in the business of a fumigator, exterminator or structural pest control operator in the city without first obtaining a license to do so.

5.46.030 License—Application—Contents.

Every person desiring a license to engage in the business of a fumigator, exterminator or structural pest control operator shall make ap-

plication to the license official and shall with his application file a sworn statement showing the experience and training tending to qualify the applicant for the business of fumigating, exterminating, or pest control operator.

5.46.040 License—Application—Investigation.

The application for such license, together with the statement of the applicant, shall be investigated within five business days after receiving such application. The city’s license official then shall make report to the manager as to the fitness of the applicant to act as a fumigator, exterminator or pest control operator, and as to his knowledge and experience with poisonous or noxious gases, chemicals, compounds or products used for fumigating or exterminating purposes, and shall also report his knowledge and familiarity with the rules and regulations prescribed by the health department governing the use for fumigating or exterminating purposes. The license official shall make his recommendations as to the granting or denying of the said application. Upon receipt of the report, the manager shall act upon the application as it shall deem fair, just and proper, in regard to the granting or denying of the same.

5.46.050 License—Fee.

The annual license fee for engaging in the business of a fumigator, exterminator or pest control operator shall be as specified on the fee schedule adopted pursuant to section 5.06.050.

5.46.060 Employees—Qualifications and testing.

Each and every employee of the licensee must be qualified to use dangerous substances and must prove to the license official that he has training and experience necessary to do the same and will comply with all health department rules and regulations regulating the same and obtain all necessary permits.

5.46.070 Employees—Written examination.

No person shall be engaged by a licensee to work at the occupation of an exterminator, fumigator or pest control operator employing the use of hydro-cyanic acid gas and other dangerous gasses or chemicals, compounds or products used for exterminating purposes without first filing an application and statement of experience and qualifications with, and receiving approval of, the health department, and pass an appropriate examination concerning his qualifications to operate under this chapter.

5.46.080 Operation—Rules and regulations.

In every building to be fumigated, the following rules and regulations shall apply:

A. Notify the occupant or occupants 24 hours in advance of the fumigation and see that all occupants of the building or portion thereof to be fumigated are vacated, except as set forth hereafter;

B. All tenants or persons residing on either side and above or below in multiple-housing units shall be vacated, except that if such building is old or dilapidated or has been remodeled into apartments, it must be entirely vacated;

C. All openings, vents, doors, windows, cracks, breaks, openings around utility pipes, chimney openings and fireplaces must be sealed airtight before the commencement of the operation;

D. All windows must be securely fastened from the inside and all doors must be locked and all keys placed in the possession of the operator;

E. All liquids and fatty foods in unsealed containers must be removed from the premises;

F. When a permit to fumigate is issued, the health department and the fire department must be advised of the date of the fumigation,

supplying the hour and the day, the place, and duration of the fumigation;

G. When fumigated gases are chemically generated, the container in which the gas is generated must be either wooden or earthen;

H. Prior to leaving the premises upon injecting it with gas, a warning card approved by the license official must be securely attached to all entrance ways and doors, and must bear the following message in red on white cards:

1. "DANGER" (in letters not less than two inches in size).

2. "FUMIGATED WITH _____, A DEADLY POISON GAS."

3. Display prominently the skull and crossbones.

4. All persons are warned to keep away.

5. Name and address and telephone number of operator.

I. After the fumigation has run its course, the operator must open all windows, doors and vents, and must, in addition, manipulate bedding, mattresses, draperies and clothing in congested spaces, to eliminate gas and gas pockets;

J. Tenants shall not reoccupy fumigated premises until 24 hours after the premises are opened for airing; and

K. Residue from chemical general gas must be disposed of in compliance with all applicable federal, state and city laws, rules, regulations and ordinances.

5.46.090 Fumigation limitations—Exceptions.

It is the general policy of the city to strictly limit fumigation, and to deny permits therefor except in the following instances:

A. Industrial plants that are isolated so as not to jeopardize adjacent properties; and

B. Where the problem of control has not responded to other methods, and then only when considered safe by the city.

5.46.100 Authority to refuse permits.

The license official is empowered to refuse to issue any permit and to forbid fumigation of any building, house, structure or vehicle when in his opinion the fumigation is not necessary.